

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE DRS75093-LB-76 (1/31)

Short Title: Eminent Domain Attorneys' Fees/Costs. (Public)

Sponsors: Senator Goodall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW ATTORNEYS' FEES AND COSTS OF COURT TO THE  
PROPERTY OWNER IN CONDEMNATION ACTIONS WHERE THE AMOUNT  
OF THE JUDGMENT EXCEEDS THE FUNDS DEPOSITED BY THE  
CONDEMNOR.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 3 of Chapter 40A of the General Statutes is amended  
by adding a new section to read:

**"§ 40A-57. Attorneys' fees.**

If the final judgment is greater than the amount deposited by the condemnor  
pursuant to this Article, the owner shall be entitled to attorneys' fees and costs of court."

**SECTION 2.** Article 2 of Chapter 40A of the General Statutes is amended  
by adding a new section to read:

**"§ 40A-35. Attorneys' fees.**

If the final judgment is greater than the amount deposited by the condemnor  
pursuant to this Article, the owner shall be entitled to attorneys' fees and costs of court."

**SECTION 3.** Article 9 of Chapter 136 of the General Statutes is amended by  
adding a new section to read:

**"§ 136-121.2. Attorneys' fees.**

If the final judgment is greater than the amount deposited by the condemnor  
pursuant to this Article, the owner shall be entitled to attorneys' fees and costs of court."

**SECTION 4.** This act becomes effective October 1, 2007.